

176535

**AUSTIN, LEWIS & ROGERS, P.A.**

ATTORNEYS AND COUNSELORS AT LAW

DANIEL S. LEWIS  
(1940-1981)

WILLIAM F. AUSTIN  
E. CROSBY LEWIS  
TIMOTHY F. ROGERS  
RAYMON E. LARK, JR.  
RICHARD L. WHITT  
JEFFERSON D. GRIFFITH, III\*  
EDWARD L. EUBANKS  
W. MICHAEL DUNCAN

COLUMBIA OFFICE:  
CONGAREE BUILDING  
508 HAMPTON STREET, SUITE 300  
POST OFFICE BOX 11716  
COLUMBIA, SOUTH CAROLINA 29201

TELEPHONE: (803) 256-4000  
FACSIMILE: (803) 252-3679  
WWW.ALRLAW.COM

WINNSBORO OFFICE:  
120 NORTH CONGRESS STREET  
POST OFFICE BOX 1061  
WINNSBORO, SOUTH CAROLINA 29180

TELEPHONE: (803) 712-9900  
FACSIMILE: (803) 712-9901

\*ALSO MEMBER NORTH CAROLINA BAR

October 28, 2005

**VIA: Hand Delivery**

Charles L.A. Terreni, Esquire  
Chief Clerk and Administrator  
Public Service Commission of South Carolina,  
101 Executive Center Dr., Suite 100  
Columbia, SC 29210

RE: Docket 2005-230-E

Dear Mr. Terreni,

Enclosed for filing with the Commission are the Affidavits of Publication for the Notice of Hearing in the above-referenced docket that Duke Power, a division of Duke Energy Corporation ("Duke"), published in newspapers having general coverage in Duke's service territory.

If you have any questions regarding this matter please do not hesitate to contact the undersigned.

With kind regards, we are

Sincerely,

*Richard L. Whitt*

William F. Austin  
Richard L. Whitt

RLW/ass

RECEIVED  
OCT 30 PM 2 17  
COLUMBIA, SC



# The Lancaster News

701 NORTH WHITE ST.  
P.O. BOX 640  
LANCASTER, S.C. 29721  
803-283-1133

RECEIVED  
SEP 21 2 17 PM '05

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA  
DOCKETING DEPARTMENT  
NOTICE OF FILING  
DOCKET NO. 2005-230-E**

**JOINT PETITION FOR NOTICE/APPROVAL OF AGREEMENT AND REASSIGNMENT OF SERVICE AREAS BY DUKE POWER, A DIVISION OF DUKE ENERGY CORPORATION AND YORK ELECTRIC COOPERATIVE, INCORPORATED**  
Duke Power, a division of Duke Energy Corporation ("Duke") and the York Electric Cooperative, Incorporated ("York Cooperative") have filed a Joint Petition with the Public Service Commission of South Carolina ("Commission") for approval of their Notice of Approval and Reassignment of Service Areas. The Joint Petition was filed pursuant to S. C. Code Ann. § 58-27-650 and § 58-27-660(1), S. C. Code Ann. Regs. 103-386, and other applicable rules, regulations and statutes. Duke is an electric utility subject to the jurisdiction of the Commission. Duke is a North Carolina corporation, domesticated to conduct and conducting business within the State of South Carolina. York Cooperative is an electric cooperative subject to limited jurisdiction of the Commission as an electric supplier pursuant to the Territorial Assignment Act. Duke and York Cooperative entered into an Agreement on April 15, 2005, to trade their rights and obligations to provide electric service to certain customers in certain areas, as outlined in their Agreement. A copy of the Agreement is on file with the Commission and is available on the Commission's website at [www.psc.sc.gov](http://www.psc.sc.gov). Duke and York Cooperative petitioned the Commission, based on the agreement of the affected electric suppliers, to inquire into this matter and issue an

Order reassigning a portion of Duke's service area and thereby allowing York Cooperative to serve (i) all new customers in the unassigned portion of Springfield Sub-Division as set forth on Plat "1", Exhibit "B" of the Joint Petition, (ii) the area of the existing Duke Corridor rights in the proposed Coulston owned subdivision, more fully described as being near the "Old PTL Property" as set forth on Plat "2", Exhibit "C" of the Joint Petition, and (iii) Duke's assigned territory near the U. S. Highway 274 and Campbell Road intersection, as set forth on Plat "3", Exhibit "D" of the Joint Petition. Also, Duke and York Cooperative petitioned the Commission, based on the agreement of the affected electric suppliers, to inquire into this matter and issue an Order reassigning a portion of Duke's service area and thereby allowing Duke to serve York Cooperative's assigned territory in the Carolina Lakes Subdivision in Lancaster County, South Carolina as set forth on Plat "4", Exhibit "E" of the Joint Petition.

The Joint Petition seeks to have the Commission accept the Notice and give informal approval or in the alternative formal approval. The two affected property owners (Pulte Homes and Paul R. Steadman) have agreed to the proposed territorial reassignment and electric service outlined in the Agreement and their written approvals are attached in the Joint Petition as Exhibits "F" and "G", respectively. A copy of the Company's Joint Petition can be obtained from the Commission at the following address: Public Service Commission of South Carolina, Docketing Department, Post Office Drawer 11649, Columbia, South Carolina 29211, the Commission's website at [www.psc.sc.gov](http://www.psc.sc.gov) and is available from Richard L. Whitt, Esquire, Austin, Lewis & Rogers, P.A., Post Office Box 11716, Columbia, South Carolina 29211 and James L. Thorne, Esquire, 808 Knox Abbott Drive, Cayce, South Carolina 29033-3311. A public hearing, if scheduled,

will be held in the Commission's Hearing Room, Synergy Business Park, Saluda Building, 101 Executive Center Drive, Columbia, South Carolina, for the purpose of receiving testimony and other evidence from all interested parties regarding this Joint Petition. The time and date of this hearing will be furnished to all interested parties at a later date.  
**DOCKET NO. 2005-230-E  
NOTICE OF FILING  
PAGE TWO**  
Any person who wishes to participate in this matter, as a party of record with the right of cross-examination should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before October 14, 2005, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. Please refer to Docket No. 2005-230-E.  
Any person who wishes to testify and present evidence at the hearing, if scheduled, should notify the Docketing Department, in writing, at the address below, the Office of Regulatory Staff, Post Office Box 11263, Columbia, South Carolina 29211, Richard L. Whitt, Esquire, Austin, Lewis & Rogers, P.A., Post Office Box

11716, Columbia, South Carolina 29211 and James L. Thorne, Esquire, 808 Knox Abbott Drive, Cayce, South Carolina 29033-3311, on or before October 14, 2005, and indicate the amount of time required for his presentation. Please refer to Docket No. 2005-230-E.  
Any person who wishes to be notified of the hearing, if scheduled, but does not wish to present testimony or be a party of record, may do so by notifying the Docketing Department in writing at the address below on or before October 14, 2005. Please refer to Docket No. 2005-230-E.  
**PLEASE TAKE NOTICE:** Any person who wishes to have his or her comments considered as part of the official record of this proceeding MUST present such comments, in person, to the Commission during the hearing. Persons seeking information about the Commission's Procedures should contact the Commission at (803) 896-5100. Public Service Commission of South Carolina  
Attn: Docketing Department  
Post Office Drawer 11649  
Columbia, South Carolina 29211  
14 September 2005  
382-114-1Fri-Duke Energy Corp.-Bill

**PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA DOCKETING DEPT.  
NOTICE OF FILING**

This is to certify that the attached \_\_\_\_\_  
was published in THE LANCASTER NEWS in the issue(s) of \_\_\_\_\_

9-23-05

*Diane M. Sweet*  
\_\_\_\_\_  
Notary Public of S.C.

My Commission Expires February 22, 2010

